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U.S. DEPARTMENT OF TRANSPORTATION  
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29 January 2003

RSPA-02-13658-52

Dockets Management System  
U.S. Department of Transportation  
Room PL 401  
400 Seventh Street, SW  
Washington, D.C. 20590-0001

Dear Sir:

Re: RSPA-2002-13658 (HM-215E)

Air Products and Chemicals, Inc. is a leading international supplier of industrial gases and related equipment and selected chemicals. Our company has annual revenues in excess of \$5 billion, operations in over 30 countries, and 17,000 employees. Corporate headquarters are near Allentown, Pennsylvania.

We have an interest in Docket HM-215E, Harmonization With the United Nations Recommendations, International Maritime Dangerous Goods Code, and International Civil Aviation Organization's Technical Instructions and we are, therefore, providing our comments to this Notice of Proposed Rulemaking (NPRM). Air Products is both a shipper and carrier of hazardous materials in both bulk and non-bulk packaging utilizing all modes of transportation.

Air Products supports the intended effect of the proposed regulation to continue the alignment of the Hazardous Materials Regulations with international requirements based on the 12<sup>th</sup> revised edition of the U.N. Recommendations, the 2003-2004 ICAO Technical Instructions, and Amendment 31 to the IMDG Code, all of which become effective 1 January 2003. Harmonization of domestic and international regulations is needed to the greatest extent possible to promote safety and to facilitate the international transportation of hazardous materials.

Because of the need for the Department of Transportation's continued emphasis on harmonization of the domestic and international hazardous materials regulations, we are providing the following brief comments.

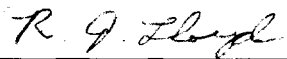
Section 172.202 (a) (2)

- a. Air Products supports the proposal for the subsidiary hazard class or subsidiary division number(s) to be entered in parentheses following the primary hazard class or division number. This will complement the requirements for dangerous goods descriptions in the IMDG Code and it will help shippers and carriers plan for the shipment of mixed loads.

Section 172.202 (a) (5)

- a. Air Products would like to understand the justification for the proposed requirement in Section 172.202 (a) (5) for shippers to indicate on shipping papers the total quantity of hazardous materials covered by the shipping description for each hazardous material in each package within an overpack or transport unit. We would prefer this to remain optional as currently provided since adoption of this proposal would likely require changes to electronic shipping paper programs and formatting of shipping papers to list more than one type of package for a single basic shipping description. However, we believe an extended transition period of at least one year should be allowed if this proposal is adopted to minimize the costs associated with programming, alteration of shipping paper forms, training, etc.
- b. We also request the Research and Special Programs Administration to confirm that abbreviations may be used to express types of packaging as currently permitted in Section 172.202 (c). There is no mention in the docket that paragraph (c) will be revised so we presume abbreviations for types of packaging will continue to be authorized. However, proposed paragraph (a) (5) only indicates that abbreviations may be used to specify the unit of measurement for the total quantity.

Air Products appreciates the efforts of the Department of Transportation in issuing this Notice of Proposed Rulemaking. We respectfully request the Department's consideration of our comments.

  
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Richard J. Lloyd  
Manager  
Regulatory Compliance